

Regular Session, 2010

SENATE BILL NO. 296

BY SENATOR MARTINY

MUNICIPALITIES. Provides relative to the appointment and compensation of attorney or agency for municipal tax collections. (8/15/10)

AN ACT

To enact R.S. 33:2841.1, relative to the collection of taxes in municipalities; to authorize municipalities to hire an attorney or agency to assist in the collection of certain taxes; to provide for the assessments and collection of a fee for such assistance; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2841.1 is hereby enacted to read as follows:

§2841.1. Assistance in collecting municipal taxes; compensation; exemptions

A.(1) A municipal corporation may appoint an attorney at law or agency to assist the municipal tax collector in the collection of ad valorem taxes that are delinquent and have become final.

(2) When the assistance of such attorney or agency is used, a fee of ten percent calculated upon the aggregate amount of all taxes, interest, and penalties so collected, shall be assessed as cost. Such fee shall be paid by the taxpayer and collected by the tax collector at the same time that the taxes, interest, and penalties are collected.

B. The provisions of this Section shall not apply to any property tax

1 **matter involving correctness or legality challenges.**

The original instrument was prepared by Ann S. Brown. The following digest, which does not constitute a part of the legislative instrument, was prepared by James Benton.

DIGEST

Martiny (SB 296)

Present law R.S. 33:2801 et al. authorizes municipal corporations to levy and collect taxes to defray expenses.

Proposed law retains present law.

Proposed law authorizes a municipal corporation to appoint an attorney at law or agency to assist the tax collector in the collection of ad valorem taxes.

Proposed law provides for the collection of a 10% fee when such assistance is used on the total amount of all taxes, interest, and penalties due.

Proposed law provides that the taxpayer shall pay the fee.

Proposed law provides that the tax collector shall collect the fee at the same time that the taxes, interest, and penalties are collected.

Proposed law provisions do not apply to any property tax matter involving correctness or legality challenges.

Effective August 15, 2010.

(Adds R.S. 33:2841.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill.

1. Limits provision to ad valorem taxes.